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Arto Astala

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EXAMINER

BASOM, BLAINE T

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,328

Applicant(s)

ASTALA ET AL.

Examiner

Blaine Basom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-11 and 58-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-11 and 58-73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

The Examiner acknowledges the Applicants' amendments to claims 1-5 and 7-11, the Applicants' cancellation of claims 12-23, 26-33, 35-36, 38, 40-41, 43, 45-46, 49-55, and 57, and the Applicants' addition of new claims 58-73. Regarding the pending claims, the Applicants submit that Bates (U.S. Patent No. 6,342,908 to Bates et al.), Ludolph (U.S. Patent No. 6,133,898 to Ludolph et al.), and Poole (*Mac OS 8.5 Bible*, by L. Poole), presented in the previous Office Action, fail to teach that, in response to the selection of a second window displaying features of a second application, a first application is no longer displayed in a main display area, and features of the second application are instead displayed in the main display area, as is now claimed. The Applicants further submit that Bates, Ludolph, and Poole fail to teach implementing such a method in a wireless mobile terminal, as is now claimed. Finally, the Applicants argue that one of ordinary skill in the art would not have been motivated to combine Bates, Ludolph, and/or Poole as was asserted in the previous Office Action.

In response, the Examiner presents the teachings of Bukszar (U.S. Patent No. 6,133,916 to Bukszar et al.) and Jobs (U.S. Patent No. 6,957,395 to Jobs et al.), which as shown below, teach selecting a second window displayed by a wireless mobile terminal, wherein response to the selection of the second window, which displays features of a second application, a first application is no longer displayed in a main display area, and features of the second application are instead displayed in the main display area. The Applicants' arguments have thus been considered, but are moot in view of the following new grounds of rejection, which are required in response to the Applicants' amendments.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-~~57~~ and 58-73 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Each of independent claims 1 and 61 recites:

...displaying features of a first application in a first window...the first window being a main display area consuming at least half of the display;
displaying a second window at the periphery of the main display area, the second window displaying features of a second application;
receiving a selection of the second window; and
in response to the received selection,
discontinuing display of the first application in the main display area,
displaying features of the second application in the main display area, and
displaying the features of the first application in a reduced-size window located along the main display area periphery, wherein the first application features are transformed so as to be displayed as a shrunken image of the first application features, and wherein features of the shrunken image are updated in a real time manner.

Like recited in claims 1 and 61, the specification of the present application discloses: displaying features of a first application (i.e. a first web page) in a first window, the first window being a main display area consuming at least half of the display; displaying a second window (i.e. an “active window”) at the periphery of the main display area, the second window displaying features of a second application (i.e. a second web page); receiving a selection of the second

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window; and in response to the selection, discontinuing display of the first application in the main display area, and displaying features of the second application in the main display area (for example, see figure 6, in addition to page 19, line 30 – page 20, line 8). Moreover, the specification discloses that an active window (i.e. a reduced-size window located along the main display area periphery) presenting features of a web page (e.g. the first application) may be displayed in response to hitting a particular selection key (see page 14, line 25 – page 15, line 6; and page 18, line 17 – page 19, line 3). The specification, however, does not disclose or suggest displaying the features of the first application in such an active window (i.e. in a “reduced-size window”), *in response to receiving a selection of the second window*, as is expressed in each of claims 1 and 61. As each of claims 2-11, 58-60, and 62-73 depend on claim 1 or 61, and include all of the limitations of claim 1 or 61, claims 2-11, 58-60, and 62-73 are similarly rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims ~~15-71~~ 58, and 61-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,133,916, which is attributed to Bukszar et al. (hereafter referred to as “Bukszar”), over U.S. Patent No. 6,957,395, which is attributed to Jobs et al. (hereafter referred to as “Jobs”), and also over U.S. Patent No. 6,133,898, which is attributed to Ludolph et al.

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(hereafter referred to as “Ludolph”). In general, Bukszar presents a graphical user interface, e.g. for a web browser, which is for receiving and displaying files downloaded over a network (for example, see column 1, line 66 – column 2, line 28).

Specifically regarding claim 1, Bukszar discloses that such a graphical user interface is displayed in a re-sizable, movable window (for example, see column 3, line 65 – column 4, line 1). As this window is re-sizable, it is understood that it may consume at least half of the display in which it is presented, as is demonstrated in figure 4, for instance. Bukszar further discloses that the graphical user interface comprises a “content area,” which displays the content of a web page, and “tiled area,” which displays graphical representations of web pages previously downloaded over the network (for example, see column 3, lines 36-45). This tiled area and its graphical representations are displayed at the periphery of the window, as is demonstrated in figure 4, for instance. Moreover, the graphical representation of each web page previously downloaded over the network is displayed within the tiled area as a miniature version of the web page (for example, see column 3, lines 36-64). In response, to selecting a graphical representation in the tiled area, its corresponding web page is accessed and displayed in the content area, understandably replacing any previously-displayed web page within the content area. It is understood that such web pages may correspond to web-based applications, such as online search engines or email applications, as are well known in the art. Lastly, Bukszar discloses that this graphical user interface may be implemented in a wireless mobile terminal, such as a palmtop computer (see, for example, column 2, line 63 – column 3, line 15). Bukszar thus teaches a method like that of claim 1, which is for using a wireless mobile terminal having a display, the method comprising: displaying features of a first application, e.g. a first web page, in

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a first window of the display of the wireless mobile terminal, the first window being a main display area consuming at least half of the display; displaying a second window, i.e. a graphical representation, at a periphery of the main display area, the second window displaying features of a second application, e.g. a second web page; receiving a selection of the second window; and in response to receiving the selection, discontinuing display of the first application in the main display area; and displaying features of the second application in the main display area. Such graphical representations may represent the most recently visited web pages, or the user's favorite web pages (for example, see column 4, lines 14-20). Accordingly, since the first application is a recently visited page, it is understood that it would have a corresponding graphical representation within the tiled area. Bukszar, however, does not explicitly teach that, *in response to selecting the second window*, the features of the first application are displayed in a reduced-size window, i.e. as a graphical representation, wherein the first application features are transformed so as to be displayed as a shrunken image of the first application features, and wherein features of the shrunken image are updated in a real time manner, as is recited in claim 1.

Job nevertheless presents a graphical user interface, whereby like that of Bukszar, applications recently accessed by the user are presented as graphical representations, namely as "minimized windows," within a "docking area" of the user interface (for example, see column 1, line 60 – column 2, line 12; column 3, line 51 – column 4, line 22, column 4; line 66 – column 31; and column 5, line 66 – column 6, line 31 of Jobs). In particular, Jobs describes a "single window mode of operation," in which only one application is displayed at a time; the features of the application are displayed in an active window, whereas the features of other opened

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applications are displayed in minimized windows. Such minimized windows may include reduced-sized features of their associated application (for example, see column 5, line 55 – column 6, line 15). Jobs discloses that in response to selecting one of these minimized windows, it is restored to its normal size, and the previously-active window on the display is minimized. Accordingly, Jobs teaches selecting a second window, i.e. a minimized window, wherein response, the features of a first application are displayed in a reduced-size window, and wherein the features of the first application are transformed so as to be displayed as a shrunken image of the features.

It would have been obvious to one of ordinary skill in the art, having the teachings of Bukszar and Jobs before him at the time the invention was made, to modify the graphical user interface taught by Bukszar, such that also in response to selecting a graphical representation, i.e. the claimed second window, the features of the first application are displayed in a reduced-size window, i.e. as a graphical representation, wherein the first application features are transformed so as to be displayed as a shrunken image of the features, as done by Jobs. It would have been advantageous to one of ordinary skill to display the features of the first application within a graphical representation, i.e. a minimized window in the tiled area, in response to selecting the graphical representation associated with the second application, and to remove the graphical representation of the first application and display the features associated with the first application within a normal-sized window, i.e. in the content area, in response to selecting the graphical representation of the first application, like done by Jobs, because this would avoid simultaneously displaying both the graphical representation of the first application and the normal-size view of the first application, as is demonstrated by Jobs. Displaying the graphical

representation of the first application while at the same time displaying the normal-size view of the first application is unnecessary, and could increase the possibility of user confusion. It would have been obvious to use thumbnails as the graphical representation, i.e. to display shrunken features of the first application as the graphical representation, as is done by Jobs, because such a representation would provide the user with a depiction of the entire application, and thus better aids the user in identifying the application corresponding to the graphical representation.

Bukszar and Jobs thus teach displaying the features of a first application in a reduced-size window in response to selecting a second window, wherein the first application features are transformed so as to be displayed as a shrunken image of the features. Neither Bukszar nor Jobs, however, explicitly disclose that the features of the shrunken image are updated in a real time manner, as is recited in claim 1. Nevertheless, such teachings are well known in the art.

For example, like Bukszar and Jobs, Ludolph presents a graphical user interface which comprises a specialized area for displaying minimized representations of recently-opened applications (for example, see column 15, line 66 – column 16, line 23). Specifically regarding the claimed invention, Ludolph discloses that the features of such minimized representations may be up updated in a real-time manner (for example, see column 15, line 66 – column 16, line 23).

It would have been obvious to one of ordinary skill in the art, having the teachings of Bukszar, Jobs, and Ludolph before him at the time the invention was made, to modify the graphical representations taught by Bukszar and Jobs, i.e. the reduced-sized windows, such that their features are updated in a real-time manner, as taught by Ludolph. It would have been advantageous to one of ordinary skill to have the features updated in a real-time manner, because

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it provides the user with information regarding the state of the associated application, thus aiding the user in determining if he or she should select the application for full display, as is demonstrated by Ludolph. Bukszar, Jobs, and Ludolph thus teach: displaying features of a first application, e.g. a first web page, in a first window of the display of a wireless mobile terminal, the first window being a main display area consuming at least half of the display; displaying a second window, i.e. a graphical representation, at a periphery of the main display area, the second window displaying features of a second application, e.g. a second web page; receiving a selection of the second window; and in response to receiving the selection, discontinuing display of the first application in the main display area, displaying features of the second application in the main display area, and displaying the features of the first application in a reduced-size window located along the main display area periphery, wherein the first application features are transformed so as to be displayed as a shrunken image of the first application features, and wherein features of the shrunken image are updated in a real time manner. Accordingly, Bukszar, Jobs, and Ludolph are considered to teach a method like that of claim 1.

As per claim 61, Bukszar teaches that the above-described method may be implemented in a palmtop computer comprising a display and a browser (see, for example, column 2, line 63 – column 3, line 34). Such a palmtop computer implementing the above-described method of Bukszar, Jobs, and Ludolph is considered a “wireless mobile terminal” like that described in claim 61.

With respect to claims 2 and 62, Bukszar discloses that the graphical representation, i.e. the reduced-size window, which displays a web page previously downloaded over the network, is presented as a miniature version of the web page (for example, see column 3, lines 36-64).

Jobs further teaches that such a miniature version may comprise a thumbnail image, which includes reduced-size features of the full-size version (for example, see column 5, line 55 – column 6, line 15). It is understood that such web pages may correspond to web-based applications, such as online search engines or email applications, as is asserted above.

Accordingly, as the graphical representation is presented as a miniature version of a web page, whereby the web page may serve as an interface for an application, e.g. the claimed first application, the displayed features of the graphical representation comprise a visual representation of the first application.

Concerning claims 3-4 and 63-64, it is understood that the web pages presented by the interface of Bukszar, Jobs, and Ludolph are arbitrary, and may include web pages for web-based applications, such as online search engines or email applications, as are well known in the art. Such an email application is considered a “system services application,” like recited in claims 3-4 and 63-64.

In regard to claims 5 and 65, Bukszar discloses that the graphical representation, i.e. the reduced-size window, which displays a web page previously downloaded over the network, is presented as a miniature version of the web page (for example, see column 3, lines 36-64). Jobs further teaches that such a miniature version may comprise a thumbnail image, which includes reduced-size features of the full-size version (for example, see column 5, line 55 – column 6, line 15). Accordingly, the shrunken image of the first application’s (i.e. the web page’s) features includes a thumbnail image of a web page.

As per claims 7 and 66, Bukszar discloses that while the “content area,” described above, displays the content of a web page (i.e. a first application), the “tiled area,” also described above,

displays graphical representations of web pages (i.e. other applications) previously downloaded over the network (for example, see column 3, lines 36-45). The above-described combination of Bukszar, Jobs, and Ludolph is thus considered to teach displaying features of a second application in a second window (i.e. within a graphical representation) while displaying the features of a first application the main display area.

In reference to claims 8 and 67, the graphical user interface of Bukszar comprises a “content area,” which displays the content of a first web page (i.e. a first application), and a “tiled area,” which displays graphical representations of other web pages (i.e. other applications) that were previously downloaded over the network (for example, see column 3, lines 36-45). Bukszar discloses that this graphical user interface may be implemented in a wireless mobile terminal, such as a palmtop computer (see, for example, column 2, line 63 – column 3, line 15). In such circumstances, each of the first and the second applications comprises a web page accessed via the wireless mobile terminal.

Regarding claims 9 and 68, it is understood that the first and second web pages presented by the interface of Bukszar, Jobs, and Ludolph are arbitrary, and may include web pages for web-based applications, such as online search engines or email applications, as are well known in the art. Such an email application is considered a “system services application,” like recited in claims 9 and 68.

Concerning claims 10 and 69, Bukszar, Jobs, and Ludolph teach a method and wireless mobile terminal like that of claims 1 and 61, respectively, wherein one or more reduced-sized windows are displayed at the periphery of a full-size window, i.e. a main display area, and wherein response to selecting a reduced sized window in which is displayed features of a second

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application, the features of the second application are displayed in the full-sized window, and in turn, the features previously displayed in the full-sized window, i.e. the features of a first application, are displayed in a reduced-sized window and are updated in a real time manner, as is described above. It is evident that the user may repeatedly and arbitrarily select such reduced-sized windows, wherein response, the features of a selected reduced-sized window are displayed in a full-sized window, and wherein the features previously displayed in the full-sized window are displayed in a reduced-sized window. Accordingly, Bukszar, Jobs, and Ludolph are further considered to teach receiving a selection of the reduced-size window in which the shrunken image of the first application features are being displayed, and in response thereto, discontinuing display of the second application in the main display area, displaying features of the first application in the main display area, and displaying the features of the second application in a reduced-size window located along the main display area periphery, wherein the second application features are transformed so as to be displayed as a shrunken image of the second application features, and wherein features of the shrunken image of the second application are updated in a real time manner, as is claimed.

Concerning claims 11 and 70, Bukszar teaches that the full-sized window, which comprises one or more reduced-size windows at its periphery, as is described above, may be movable and resizable (for example, see column 3, line 65 – column 4, line 4). Accordingly, it is understood that the reduced-sized windows may be relocated within the display, specifically by moving the full-sized window in which they are contained.

In regard to claims 58 and 71, Bukszar further demonstrates that at least five reduced-sized windows may be displayed at the periphery of a main display area, with each reduced-sized

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window representing a particular web page (for example, see figure 4). Jobs teaches that such reduced-sized windows may comprise thumbnail images of their associated applications, as is described above. Accordingly, the above-described combination of Bukszar, Jobs, and Ludolph is further considered to teach displaying at least second, third, and fourth windows at the periphery of the main display area, wherein the third and fourth windows respectively display features of third and fourth applications, wherein the features of the second application comprise a thumbnail image of a first web page, wherein the features of the third application comprise a thumbnail image of a second web page, and wherein the features of the fourth application comprise a thumbnail image of a third web page.

Claims 59-60 and 72-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Bukszar, Jobs, and Ludolph, which is described above, and also over U.S. Patent No. 6,356,908, which is attributed to Brown et al. (and hereafter referred to as "Brown"). As described above, Bukszar, Jobs, and Ludolph teach a method like that of claim 1, in which shrunken features of web pages are displayed in reduced-sized windows at the periphery of a main display area. Jobs particularly teaches that such features may comprise a thumbnail image. Bukszar, Jobs, and Ludolph, however, fail to teach that such features may additionally include a title or URL of the web page, as is recited in claims 59-60 and 72-73. Nevertheless, such teachings are well known in the art.

For example, like Bukszar, Jobs, and Ludolph, Brown teaches displaying thumbnails of web pages within a window (for example, see column 5, line 65 – column 6, line 8 of Brown).

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Regarding the claimed invention, Brown further teaches displaying a URL and title of the web page in addition to the thumbnail (for example, see figure 8).

It would have therefore been obvious to one of ordinary skill in the art, having the teachings of Bukszar, Jobs, Ludolph, and Brown before him at the time the invention was made, to modify the thumbnails taught by Bukszar, Jobs, and Ludolph, such that the URL and title of its associated web page is also displayed alongside the thumbnail, as done by Brown. It would have been advantageous to one of ordinary skill to utilize such a combination, because a title and URL provide the user with more information regarding the associated web page than if the thumbnail was displayed alone, thus aiding the user in determining if he or she should select the web page for full display, as is demonstrated by Brown.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571) 272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

btb
5/24/2006


TADESSE HAILU
Patent Examiner